

IN THE HIGH COURT OF THE UNITED REPUBLIC OF TANZANIA

TABORA DISTRICT REGISTRY

AT TABORA

MISC. CRIMINAL APPLICATION NO. 102 OF 2019

(Originating from Nzega District Court in Criminal Case No.310 of 2017)

DEUS S/O JOHN @ KALENDELO.....APPLICANT

VERSUS

REPUBLICRESPONDENT

RULING

30th September & 4th December, 2020

BAHATI, J:

Before this court, the applicant **DEUS S/O JOHN @ KALENDELO** prays to this court for an extension of time to lodge both the notice and petition of appeal against the decision of the District Court of Nzega at Nzega in Criminal Case No.310 of 2017 delivered on 18/9/2017.

It is deposed in paragraph 3 of the affidavit in support of the application that after being convicted and sentenced, the trial magistrate did only explain to him the right to appeal but she did not go

further as to explain to him the appeal process to come to term with section 359(1) of the Criminal Procedure Act, Cap 20.

When the matter was called on for hearing, Mr. Innocent Rweyemamu, learned State Attorney for Republic supported the application.

In reply, the applicant, unrepresented had nothing to add. He prayed to this court his affidavit to form part of the submission.

Having considered both the applicant's affidavit at para 3, and the concession from the respondent, I have no reason why I should not take the assertion true. I am satisfied with the reasons adduced by the applicant.

In the light of the above I find merit in this application. I hereby allow extension of time to lodge both notice and petition of appeal within fourteen days.

It is so ordered.




A.A.BAHATI
JUDGE
4/12/2020

Ruling delivered under my hand and seal of the court in the chamber, this 4th day December, 2020 in the absence of both parties.



A. A. Bahati

A. A. BAHATI

JUDGE

4/12/2020